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UNITED STATES GOVERNMENT

memorandum

TO: Magalie Roman Salas, Secretary, FCC

REPLY TO
ATTN OF: Wireless Telecommunications Bureau Policy Division

DATE: September 19, 2000

SUBJECT: CC Docket 94-102 – e-mail correspondence regarding Texas CSEC Emergency Petition for FCC Compliance Oversight

RECEIVED

SEP 19 2000

Federal Communications Commission
Office of Secretary

The Wireless Telecommunications Bureau Policy Division hereby submits for the record the attached e-mail correspondence regarding the Texas Commission on State Emergency Communication's emergency petition regarding E911 Phase I implementation. This correspondence was sent to the listed recipients on August 25, 2000.

No. of Copies rec'd 0
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Date: 8/25/00 11:04AM
Subject: Re: PUC Update and Wireless Testing

Kelli: Thank you for the update on the status of carrier compliance with the E911 Phase I requests made by the Texas Commission on State Emergency Communications (CSEC) and the ongoing efforts being made to meet the Texas CSEC August 31, 2000 deadline. The Wireless Telecommunications Bureau (WTB) will continue to monitor progress.

WTB also wanted to follow up on the meeting we held on August 9, 2000 with representatives of the Texas Commission on State Emergency Communications (CSEC) and carriers named in the Texas CSEC Emergency Petition for FCC Compliance Oversight and Conditional Petition for Maximum Sanctions. At the August 9 meeting, several carriers asked whether they should file waivers with the Commission if they were not in compliance with the Commission's rule requiring carriers to provide Phase I E911 service within six months of a request by a Public Safety Answering Point (PSAP). Several carriers also asked whether they will have an opportunity to respond to the Texas CSEC should enforcement action be initiated. Although WTB cannot offer legal advice about whether an individual carrier should file a waiver request, below we provide some guidance on how WTB has recommended that the Commission handle the Texas emergency petition. We believe this guidance will assist carriers in resolving the questions raised at the August 9 meeting.

First, WTB recommends that no enforcement action be taken before August 31, 2000. The Texas CSEC petition does not ask the Commission to take enforcement action prior to that date nor has the Texas CSEC independently requested such action. Instead, the Commission has been asked to perform a compliance oversight role. WTB recommends that the Commission act as requested. Towards that end, WTB has been closely monitoring the Texas situation and has received updates from the Texas CSEC on additional progress in Phase I deployment. WTB is hopeful that the matter may be resolved by the parties working cooperatively, with close monitoring and assistance where necessary.

Second, if further action on the petition is necessary, WTB expects that the matter would be referred to the Commission's Enforcement Bureau. The Enforcement Bureau might then act either on the Emergency Petition itself or request that the Texas CSEC file separate complaints (formal or informal) against individual non-compliant carriers. In either situation, all affected carriers would have a full opportunity to respond to, and defend against, any allegations made against them, whether in the original Emergency Petition or a subsequently filed complaint.

We hope this guidance is helpful. Please contact Kris Monteith or Blaise Scinto in the Policy Division, WTB at (202) 418-1310 should you have questions or need further assistance.

>>> "Kelli Merriweather" <kelli.merriweather@csec.state.tx.us> 08/24/00 04:45PM >>>
All Wireless Carriers:

With only 7 days, or 168 hours, remaining until August 31, 2000, Chairman Pat Wood of the Public Utility Commission requested today that the wireless carriers and LECS "do what it takes" to ensure that the CSEC realizes its goal of 75% implementation coverage as stipulated by the 76th Texas Legislature. They were specifically requested to work 24x7 until this is accomplished. The LECS provided 24x7 contact information to the carriers and CSEC. CSEC is in the process of identifying a 24x7 contact for our database vendor, SCC, and will communicate that to you as soon as possible.

SWBT has committed to providing a 24x7 contact during the wireless testing phase, through August 31, 2000. Below is the contact information you may use for the remainder of this month to escalate issues at SWBT when problems are encountered during the trunk turn-up and testing process.

Primary Contact (7x24)

Bob Wallace
Technical Sales Manager- E911 Texas
Southwestern Bell Telephone
(210) 351-8020 -office
(888) 397-5196 -pager
(210) 846-4663 -mobile

Secondary Contact (7x24)

Andrea Prothow
Program Manager- E911
Southwestern Bell Telephone
(713) 567-4656 -office
(877) 534-8257 -pager

Additional Contact

Sue Galvanek
(210)219-2273
(210)754-2938

GTE has committed the following personnel to be 24x7 contacts for similar testing issues and troubleshooting. CSEC understands that additional contacts may be provided.

Diana Donally
(940)243-8500
(888)940-2461 (pager)

Al Banzer

(512)719-2972

Currently, CSEC is at 30.5% coverage of program area population. We strongly request that all carriers consider an aggressive testing and deployment schedule in order that we reach the required 75%. CSEC has notified and prepared the COGs for the possibility that wireless carriers will need to test over the upcoming weekend. However, on behalf of the COGs, we must re-emphasize that the Carriers must schedule this testing through the COGs in order that the PSAPs are 1) prepared to receive test calls, and 2) have the cell site/sector information that they will need to verify with the drive testers. Coordination with the COGs is imperative in order to facilitate communications and smooth testing. Otherwise, uninformed PSAPs may not be prepared or cooperative in such testing efforts. If you experience any difficulties with the COGs regarding scheduling or deployment, please contact either myself or Laquetta Mills. My contact information is listed below. Ms. Mills work # is 512/305-6949, and her pager # is 512/604-3603.

Attached you will find a chart presented to the PUC today, which outlines the carriers that must, at a minimum, deploy service to the targeted areas before 8/31/00. The shaded areas are the projected test dates that have been reported to CSEC by carriers, and must be implemented in order to reach 75%. The non-shaded deployments are actual deployments.

If you have any questions, please contact either myself or Laquetta Mills. Thanks for your cooperation in this important matter.

Kelli Merriweather
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